HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 23010 of 2006

DATED: 29-01-2007

Between:

Marram Reddy Chinna Gali Reddy and another
...Petitioners

and

The District Collector, Prakasam Distfrict at
Ongole and others.

...Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 23010 of 2006

ORAL ORDER:

Ac.1-11 cents of agricultural land in Sy.No. 70/12 of Gottipadia Village, Markapur Mandal, Prakasam District was acquired under the provisions of the Land Acquisition Act, 1894 (for short 'the Act'). The petitioners are claiming to be the absolute owners, in possession and enjoyment of the property; to have purchased the property on 9-5-1981 from the previous owner and therefore, entitled to compensation for its acquisition; and to have got issued a notice dated 1-7-2006 to the respondents through their counsel seeking payment of compensation. The vendor of the petitioners and others are also said to be claiming compensation as persons interested. Apprehending that the respondents, in particular the 3rd respondent would pay the compensation amount to the other persons and deny the petitioners compensation for their lands, this writ petition is filed seeking the relief as prayed for.

The learned Government Pleader has obtained instructions from the 3rd respondent. Those instructions are placed before this Court for the purpose of perusal.

According to the 3rd respondent, the land in question is an assessed waste, Government land which was assigned to one Rachakonda Pedda Kasaiah s/o Venkataiah. This land was not notified for acquisition, as it was the Government land. No person was entitled to purchase the land, as the alienation of the land is hit

by Act 9/77. The 3rd respondent letter further states that the petitioners failed to produce any documentary evidence of their title and enjoyment over the land and no compensation was yet paid for want of the original D.K patta and evidence to prove the possession and enjoyment of any person in respect of the land in question.

In the light of the averments in the writ petition, no case is made out for proceeding further in the matter. Suffice it to direct the respondents, in particular the 3rd respondent to intimate to the petitioners, the decision of the 3rd respondent on their objections/claims for compensation for the land of an extent of Ac.1-11 cents in Sy.No.70/12 of Gottipadiya Village, Markapur Mandal, Prakasam District. If the 3rd respondent has passed any award in respect of the above extent of land, even so, the 3rd respondent shall communicate a copy of the said award to the petitioner expeditiously and in any event within a period of 7 days from the date of receipt of a copy of this order. If the petitioners are aggrieved by the award passed, in so far as the payment or apportionment of the compensation amount is concerned as recorded in the award, or in respect of any decision taken by the 3rd respondent rejecting their claims for a share or payment of compensation, the petitioners are at liberty to pursue appropriate remedies. As no compensation has yet been paid, no other directions are justified.

The writ petition is disposed of as above. There shall be no order as to costs.

GODA RAGHURAM, J

29-01-2007
GRR